

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

JERELLE DUNN, SAMUEL SEMPLE,
ANDRE WASHINGTON, MATTHEW
CHRISTIANSON, WILLIAM CLANTON,
SAMIR SHABAN, and MICHAEL PENA, on
behalf of themselves and all others similarly
situated,

Plaintiffs,

-against-

THE CITY OF NEW YORK,

Defendant.

**DECLARATION OF
JONATHAN C. MOORE IN
FURTHER SUPPORT OF
PLAINTIFFS' MOTION FOR
CLASS CERTIFICATION**

Case No: 21-CV-09012 (DLC)

JONATHAN C. MOORE, an attorney duly admitted to practice before this Court, declares under penalty of perjury pursuant to 28 U.S.C. § 1746:

1. I am one of the attorneys for the Plaintiffs in this matter, JERELLE DUNN, SAMUEL SEMPLE, ANDRE WASHINGTON, MATTHEW CHRISTIANSON, WILLIAM CLANTON, SAMIR SHABAN, and MICHAEL PENA, and I am fully familiar with the facts and circumstances of this case. I submit this declaration and the accompanying exhibits in further support of Plaintiffs' motion for class certification.

1. Attached as **Exhibit 1** is an excerpt from a transcript of the November 17, 2022 Court Conference in *Nunez v. City of New York, et al.*, 11-cv- 5845 (LTS) (S.D.N.Y. Apr. 26, 2022), ECF No. 490. During the conference, New York City Department of Correction Commissioner Louis Molina admitted to "long-standing systemic issues that have plagued the department." (Nov. 17, 2022 Tr. at 16:19-20.) Commissioner Molina also cited disinvestment in "staff, infrastructure, and people in custody" since 2015. (*Id.* at 19:6-7.) During the conference,

Southern District Court Judge Swain, who oversees the court-ordered monitorship at Rikers, recognized that there has been “backward progression over the past six years,” notwithstanding different administrations overseeing Rikers. (*Id.* at 67:2.)

2. Attached as **Exhibit 2** is a letter from the City to district court Judge Swain in *Nunez*, dated November 14, 2022, in which the City admitted to “decades-long problems” at Rikers Island.

Dated: New York, New York
December 19, 2022

A handwritten signature in black ink, reading "Jonathan C. Moore". The signature is written in a cursive, flowing style. Below the signature is a solid horizontal line.

Jonathan C. Moore, Esq.